

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ANABEL RODRIGUEZ-ADORNO
CARMEN MARIA PEREZ-RODRIGUEZ
ESTHER ZENaida FUENTES-QUILES
ROSA BORRERO-BORRELI
BLANCA E. GUARDIOLA-CORTES
MARCOLINA SUAREZ-BAEZ
GLORIA DE LA PAZ-VIQUEIRA
WANDA LIZ GUZMAN DE-JESUS
DAISY CRUZ-OCASIO
ANTONIO CANDELARIO-AGOSTO
RAMONITA RODRIGUEZ-COLON

Plaintiffs

vs

CIVIL 05-1561CCC

HON. ROBERTO SANCHEZ-RAMOS,
Secretary of Justice of the Commonwealth of
Puerto Rico,
HON. MIGUEL PEREIRA-CASTILLO,
Secretary of Corrections and Rehabilitation of
Puerto Rico and Administrator of Corrections
of the Commonwealth of Puerto Rico;
HON. ARIZ RENAN VELAZQUEZ-
LOPERENA, a Prosecutor with the Bureau of
Special Investigations of the Department of
Justice of the Commonwealth of Puerto Rico;
HON. JOSE R. LOZADA, Director of the
Bureau of Special Investigations of the
Commonwealth of Puerto Rico;
AGENT MARIA CORTES and JOHN DOE
a/k/a AGENT CRESPO, ALL IN THEIR
PERSONAL CAPACITY FOR CLAIMS AT
LAW AND INT HEIR OFFICIAL AND
REPRESENTATIVE CAPACITIES FOR ALL
CLAIMS AND RELIEF IN EQUITY, AND
FOR DECLARATORY JUDGMENT

Defendants

O R D E R

The Motion Requesting Temporary Restraining Order and/or Preliminary Injunction to Prevent Defendants from Continuing to Issue and/or Serve Facially Invalid Subpoenas filed by plaintiffs on June 14, 2005 (**docket entry 2**) is DENIED for failure to comply with the requirements set forth in Fed.R.Civ.P. 65(b) which provides that “[a] temporary restraining

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order may be granted without written or oral notice to the adverse party or that party's attorney only if (1) it clearly appears from specific facts shown by affidavit or by the verified complaint that immediate and irreparable injury, loss, or damage will result to the applicant before the adverse party or that party's attorney can be heard in opposition, and (2) the applicant's attorney certifies to the court in writing the efforts, if any, which have been made to give the notice and the reasons supporting the claim that notice should not be required." The complaint filed on May 27, 2005 (**docket entry 2**) is not verified, nor was an affidavit filed together with the Motion Requesting Temporary Restraining Order. In addition, plaintiffs' attorneys have failed to certify what efforts they have made to give notice to the adverse party or the reasons why notice should not be required.

Plaintiffs' Request a for Preliminary Injunction (**docket entry 2**) is referred to the Magistrate Judge for an evidentiary hearing and a report and recommendation.

SO ORDERED.

At San Juan, Puerto Rico, on June 15, 2005.

S/CARMEN CONSUELO CEREZO
United States District Judge